

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 177

June 21, 1999, 5:30 p.m.
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FOREIGN RELATIONS AUTHORIZATION/Disciplinary Records & Promotions

SUBJECT: Foreign Relations Authorization Act for fiscal years 2000 and 2001 . . . S. 886. Sarbanes modified amendment No. 689.

ACTION: AMENDMENT AGREED TO, 88-0

SYNOPSIS: As reported, S. 886, the Foreign Relations Authorization Act for Fiscal Years 2000 and 2001, will authorize funding for the Department of State, United States international broadcasting activities, and other foreign affairs programs for fiscal years 2000 and 2001. The funds authorized will total \$6.38 billion and \$6.03 billion for fiscal years 2000 and 2001, respectively. The bill also will authorize a 5-year, \$3 billion embassy construction program for upgrading overseas United States diplomatic facilities in response to the embassy bombings in East Africa and to the threat of other terrorist attacks.

The Sarbanes modified amendment would amend the bill section dealing with disciplinary actions against, and employee evaluations of, Foreign Service members. Under the current system, a reprimand stays in an employee's personnel file for 1 year and a suspension stays in an employee's file for 2 years. If an employee disagrees with an evaluation, that employee is given 3 years in which to file a grievance challenging it. The bill will amend the current system to require all records of disciplinary actions to stay in employees' files until they are tenured or promoted. Also, it will decrease the length of time for an employee to file a grievance to 1 year. The Sarbanes modified amendment would only require suspensions of 5 days or more to be held on an employee's record before that employee was promoted or given tenure, and it would only reduce to 2 years the length of time for an employee to file a grievance.

Those favoring the amendment contended:

Currently, the Foreign Service fails to consider fully an employee's disciplinary record when considering that employee for promotion, because infraction records are kept on file for only a short time. This bill addresses that problem, but its solution will

(See other side)

YEAS (88)				NAYS (0)		NOT VOTING (12)	
Republican (48 or 100%)		Democrats (40 or 100%)		Republicans (0 or 0%)	Democrats (0 or 0%)	Republicans (7)	Democrats (5)
Abraham	Hagel	Akaka	Johnson			Chafee- ²	Baucus- ²
Allard	Hatch	Bayh	Kerrey			Inhofe- ²	Dodd- ²
Ashcroft	Helms	Biden	Kerry			McCain- ²	Kennedy- ²
Bennett	Hutchinson	Bingaman	Kohl			Murkowski- ²	Lautenberg- ²
Bond	Hutchison	Boxer	Landrieu			Nickles- ²	Leahy- ²
Brownback	Jeffords	Breaux	Levin			Santorum- ²	
Bunning	Kyl	Bryan	Lieberman			Thomas- ²	
Burns	Lott	Byrd	Lincoln				
Campbell	Lugar	Cleland	Mikulski				
Cochran	Mack	Conrad	Moynihan				
Collins	McConnell	Daschle	Murray				
Coverdell	Roberts	Dorgan	Reed				
Craig	Roth	Durbin	Reid				
Crapo	Sessions	Edwards	Robb				
DeWine	Shelby	Feingold	Rockefeller				
Domenici	Smith, Bob	Feinstein	Sarbanes				
Enzi	Smith, Gordon	Graham	Schumer				
Fitzgerald	Snowe	Harkin	Torricelli				
Frist	Specter	Hollings	Wellstone				
Gorton	Stevens	Inouye	Wyden				
Gramm	Thompson						
Grams	Thurmond						
Grassley	Voinovich						
Gregg	Warner						

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

cause as many problems as it will fix. The bill will require all infractions, however minor, to remain in an employee's file until that employee is promoted or is given tenure, and it will shorten the number of years for the filing of grievances from 3 years to 1 year. The problem with the first provision is it is too strict: it is not fair for minor infractions to be kept in an employee's permanent file, and it will lead to performance problems because supervisors will be reluctant to report those minor infractions for fear that they will be used as a basis for denying promotions. The problem with the second provision is that 1 year is not enough time for some employees who are stationed overseas to file a grievance over an unfair evaluation. Many overseas employees cannot return to the United States for 18 months, and, unless they are in the United States, they will not have fair access to lawyers and records they will need to file effective grievances. The Sarbanes amendment would fix the first problem by only requiring major infractions to be kept on records, and it would fix the second problem by giving employees 2 year in which to file grievances. We trust our colleagues will find these amended provisions appropriate and will vote in favor of the amendment.

No arguments were expressed in opposition to the amendment.